

AMENDED IN SENATE AUGUST 20, 2001

AMENDED IN SENATE JULY 17, 2001

AMENDED IN ASSEMBLY MAY 31, 2001

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 67

Introduced by Assembly Member Firebaugh
(Principal coauthor: Assembly Member Ashburn)
(Coauthor: Assembly Member Shelley)
(Coauthors: Senators Karnette, Monteith, Murray, and Soto)

December 7, 2000

An act to amend Sections ~~14100~~ 12804.9, 14100, and 35400 of, and to add Sections 2429.3, 12804.10, and 12804.15 to, the Vehicle Code, relating to vehicles, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 67, as amended, Firebaugh. Vehicles: driver's license: length limitation.

(1) Existing law establishes the Department of the California Highway Patrol in the Business, Transportation and Housing Agency under the control of the Commissioner of the California Highway Patrol.

This bill would require the commissioner to establish a committee for the purpose of developing a public awareness and outreach campaign to educate manufacturers, sellers, and owners of house cars, *as described*, regarding locations where those vehicles may be legally operated within the state.

This bill would require the commissioner to report to the Legislature not later than February 1, 2003, and February 1, 2004, regarding the number of house cars that are involved in traffic collisions during the calendar year prior to the reporting date.

(2) Under existing law, an applicant for a driver's license is required to submit to an examination appropriate to the type of motor vehicle or combination of vehicles the applicant desires to drive. A class C driver's license includes authorization to operate a house car.

This bill would provide that the authority to operate a house car over 40 feet in length, excluding safety devices and safety bumpers is conditioned on receiving an endorsement issued by the Department of Motor Vehicles on a *noncommercial* class *C* license, upon passing a written and skills examination ~~and~~, submitting a specified medical form, *and payment of a specified fee*.

(3) Under existing law, with specified exceptions, a 40-foot limitation is imposed on the length of vehicles that may be operated on the highways.

This bill would additionally except house cars of a length of up to 45 feet from that limitation when operating on certain highways.

(4) This bill would prohibit any person from operating a house car, as defined, unless the person has in his or her possession a valid driver's license and a specified endorsement to permit operation of the house car. Because under other provisions of existing law, a violation of this prohibition would be an infraction, the bill would impose a state-mandated local program by creating a new crime.

(5) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(6) The bill would declare that it is to take effect immediately as an urgency statute.

Vote: ²/₃. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 2429.3 is added to the Vehicle Code, to
2 read:



2429.3. (a) The commissioner shall appoint a committee of 10 members to develop a public awareness and outreach campaign to educate manufacturers, sellers, and owners of house cars, as described in subdivision (b) of Section 12804.10, regarding locations where those vehicles may be legally operated within the state. The committee shall consist of the commissioner, two members representing owners or operators of house cars, and one representative from each of the following:

- (1) The Department of Transportation.
- (2) The Department of Motor Vehicles.
- (3) The Recreational Vehicle Industry Association.
- (4) The California Recreational Vehicle Dealers Association.
- (5) The National Recreational Vehicle Dealers Association.
- (6) The Family Motor Coach Association.
- (7) The Good Sam Club.
- (8) *The recreational vehicle manufacturing industry.*

(b) The committee shall develop a driver education safety video for operators of house cars. The video, as well as a map of the approved highways on which those vehicles may operate, shall be made available to dealers of house cars. The committee shall encourage dealers to make copies of the video and map available to purchasers of those vehicles. The video shall be produced at no cost to the state.

(c) Committee members shall serve at the pleasure of the commissioner and without compensation.

~~SEC. 1.5.—~~

SEC. 2. Section 12804.9 of the Vehicle Code, as amended by Section 16 of Chapter 1035 of the Statutes of 2000, is amended to read:

12804.9. (a) (1) The examination shall include all of the following:

(A) A test of the applicant's knowledge and understanding of the provisions of this code governing the operation of vehicles upon the highways.

(B) A test of the applicant's ability to read and understand simple English used in highway traffic and directional signs.

(C) A test of the applicant's understanding of traffic signs and signals, including the bikeway signs, markers, and traffic control devices established by the Department of Transportation.

1 (D) An actual demonstration of the applicant's ability to
2 exercise ordinary and reasonable control in operating a motor
3 vehicle by driving it under the supervision of an examining officer.
4 The applicant shall submit to an examination appropriate to the
5 type of motor vehicle or combination of vehicles he or she desires
6 a license to drive, except that the department may waive the
7 driving test part of the examination for any applicant who submits
8 a license issued by another state, territory, or possession of the
9 United States, the District of Columbia, or the Commonwealth of
10 Puerto Rico if the department verifies through any acknowledged
11 national driver record data source that there are no stops, holds, or
12 other impediments to its issuance. The examining officer may
13 request to see evidence of financial responsibility for the vehicle
14 prior to supervising the demonstration of the applicant's ability to
15 operate the vehicle. The examining officer may refuse to examine
16 an applicant who is unable to provide proof of financial
17 responsibility for the vehicle, unless proof of financial
18 responsibility is not required by this code.

19 (E) A test of the hearing and eyesight of the applicant, and of
20 other matters that may be necessary to determine the applicant's
21 mental and physical fitness to operate a motor vehicle upon the
22 highways, and whether any grounds exist for refusal of a license
23 under this code.

24 (2) The examination for a class A or class B license under
25 subdivision (b) shall also include a report of a medical examination
26 of the applicant given not more than two years prior to the date of
27 the application by a health care professional. As used in this
28 subdivision, "health care professional" means a person who is
29 licensed, certified, or registered in accordance with applicable
30 state laws and regulations to practice medicine and perform
31 physical examinations in the United States of America. Health
32 care professionals are doctors of medicine, doctors of osteopathy,
33 physician assistants, and advanced practice nurses, or doctors of
34 chiropractic who are clinically competent to perform the medical
35 examination presently required of motor carrier drivers by the
36 Federal Highway Administration. The report shall be on a form
37 approved by the department, the Federal Highway
38 Administration, or the Federal Aviation Administration. In
39 establishing the requirements, consideration may be given to the



standards presently required of motor carrier drivers by the Federal Highway Administration.

(3) Any physical defect of the applicant, which, in the opinion of the department, is compensated for to ensure safe driving ability, shall not prevent the issuance of a license to the applicant.

(b) Beginning on January 1, 1989, in accordance with the following classifications, any applicant for a driver's license shall be required to submit to an examination appropriate to the type of motor vehicle or combination of vehicles the applicant desires a license to drive:

(1) Class A includes the following:

(A) Any combination of vehicles, if any vehicle being towed has a gross vehicle weight rating of more than 10,000 pounds.

(B) Any vehicle towing more than one vehicle.

(C) Any trailer bus.

(D) The operation of all vehicles under class B and class C.

(2) Class B includes the following:

(A) Any single vehicle with a gross vehicle weight rating of more than 26,000 pounds.

(B) Any single vehicle with three or more axles, except any three-axle vehicle weighing less than 6,000 pounds.

(C) Any bus except a trailer bus.

(D) Any farm labor vehicle.

(E) Any single vehicle with three or more axles or a gross vehicle weight rating of more than 26,000 pounds towing another vehicle with a gross vehicle weight rating of 10,000 pounds or less.

(F) *Any house car over 40 feet in length, excluding safety devices and safety bumpers.*

(G) The operation of all vehicles covered under class C.

(3) Class C includes the following:

(A) Any two-axle vehicle with a gross vehicle weight rating of 26,000 pounds or less, including when the vehicle is towing a trailer or semitrailer with a gross vehicle weight rating of 10,000 pounds or less.

(B) Notwithstanding subparagraph (A), any two-axle vehicle weighing 4,000 pounds or more unladen when towing a trailer coach not exceeding 9,000 pounds gross.

(C) ~~Any housecar~~ *Any house car of 40 feet in length or less.*

(D) Any three-axle vehicle weighing 6,000 pounds or less gross.

1 (E) Any ~~housecar~~ *house car of 40 feet in length or less* or
2 vehicle towing another vehicle with a gross vehicle weight rating
3 of 10,000 pounds or less, including when a tow dolly is used. No
4 vehicle shall tow another vehicle in violation of Section 21715.

5 (F) (i) Any two-axle vehicle weighing 4,000 pounds or more
6 unladen when towing either a trailer coach or a fifth-wheel travel
7 trailer not exceeding 10,000 pounds gross vehicle weight rating,
8 when the towing of the trailer is not for compensation.

9 (ii) Any two-axle vehicle weighing 4,000 pounds or more
10 unladen when towing a fifth-wheel travel trailer exceeding 10,000
11 pounds, but not exceeding 15,000 pounds, gross vehicle weight
12 rating, when the towing of the trailer is not for compensation, and
13 if the person has passed a specialized written examination
14 provided by the department relating to the knowledge of this code
15 and other safety aspects governing the towing of recreational
16 vehicles upon the highway.

17 The authority to operate combinations of vehicles under this
18 subparagraph shall be granted by endorsement on a class C license
19 upon completion of that written examination.

20 (G) Any vehicle or combination of vehicles with a gross
21 combination weight rating or a gross vehicle weight rating, as
22 those terms are defined in subdivisions (g) and (h), respectively,
23 of Section 15210, of 26,000 pounds or less, if all of the following
24 conditions are met:

25 (i) Is operated by a farmer, an employee of a farmer, or an
26 instructor credentialed in agriculture as part of an instructional
27 program in agriculture at the high school, community college, or
28 university level.

29 (ii) Is used exclusively in the conduct of agricultural
30 operations.

31 (iii) Is not used in the capacity of a for-hire carrier or for
32 compensation.

33 (H) Any motor vehicle over 4,000 pounds unladen when
34 towing a boat trailer with a gross combination weight rating, as
35 defined in subdivision (g) of Section 15210, of 26,000 pounds or
36 less under the following conditions:

37 (i) The combination of vehicles is used to transport a boat for
38 recreational purposes or to and from a place of repair.

1 (ii) The combination of vehicles is not used in the operations
2 of a common or contract carrier or in the course of any business
3 endeavor.

4 (iii) The towing of the trailer is not for compensation.

5 (iv) The combination of vehicles and its load are not of a size
6 that requires a permit pursuant to Section 35780.

7 (I) Class C does not include any two-wheel motorcycle or any
8 two-wheel motor-driven cycle.

9 (4) Class M1. Any two-wheel motorcycle or motor-driven
10 cycle. Authority to operate vehicles included in a class M1 license
11 may be granted by endorsement on a class A, B, or C license upon
12 completion of an appropriate examination.

13 (5) Class M2. Any motorized bicycle or moped, or any bicycle
14 with an attached motor, except a motorized bicycle described in
15 subdivision (b) of Section 406 and a motorized scooter described
16 in Section 407.5. Authority to operate vehicles included in class
17 M2 may be granted by endorsement on a class A, B, or C license
18 upon completion of an appropriate examination. Persons holding
19 a class M1 license or endorsement may operate vehicles included
20 in class M2 without further examination.

21 (c) No driver's license or driver certificate shall be valid for
22 operating any commercial motor vehicle, as defined in subdivision
23 (b) of Section 15210, any other motor vehicle defined in paragraph
24 (1) or (2) of subdivision (b), or any other vehicle requiring a driver
25 to hold any driver certificate or any driver's license endorsement
26 under Section 15275, unless a medical certificate approved by the
27 department, the Federal Highway Administration, or the Federal
28 Aviation Administration, that has been issued within two years of
29 the date of the operation of that vehicle, is within the licensee's
30 immediate possession, and a copy of the medical examination
31 report from which the certificate was issued is on file with the
32 department. Otherwise, the license shall be valid only for
33 operating class C vehicles that are not commercial vehicles, as
34 defined in subdivision (b) of Section 15210, and for operating
35 class M1 or M2 vehicles, if so endorsed, that are not commercial
36 vehicles, as defined in subdivision (b) of Section 15210.

37 (d) A license or driver certificate issued prior to the enactment
38 of Chapter 7 (commencing with Section 15200) shall be valid to
39 operate the class or type of vehicles specified under the law in

1 existence prior to that enactment until the license or certificate
2 expires or is otherwise suspended, revoked, or canceled.

3 (e) The department may accept a certificate of driving skill that
4 is issued by an employer, authorized by the department to issue a
5 certificate under Section 15250, of the applicant, in lieu of a
6 driving test, on class A or B applications, if the applicant has first
7 qualified for a class C license and has met the other examination
8 requirements for the license for which he or she is applying. The
9 certificate may be submitted as evidence of the applicant's skill in
10 the operation of the types of equipment covered by the license for
11 which he or she is applying.

12 (f) The department may accept a certificate of competence in
13 lieu of a driving test on class M1 or M2 applications, when the
14 certificate is issued by a law enforcement agency for its officers
15 who operate class M1 or M2 vehicles in their duties, if the
16 applicant has met the other examination requirements for the
17 license for which he or she is applying.

18 (g) The department may accept a certificate of satisfactory
19 completion of a novice motorcyclist training program approved by
20 the commissioner pursuant to Section 2932 in lieu of a driving test
21 on class M1 or M2 applications, if the applicant has met the other
22 examination requirements for the license for which he or she is
23 applying. The department shall review and approve the written and
24 driving test used by a program to determine whether the program
25 may issue a certificate of completion.

26 (h) Notwithstanding subdivision (b), any person holding a
27 valid California driver's license of any class may operate a
28 short-term rental motorized bicycle without taking any special
29 examination for the operation of a motorized bicycle, and without
30 having a class M2 endorsement on that license. As used in this
31 paragraph, "short-term" means 48 hours or less.

32 (i) No person under the age of 21 years shall be issued a class
33 M1 or M2 license or endorsement unless he or she provides
34 evidence satisfactory to the department of completion of a
35 motorcycle safety training program that is operated pursuant to
36 Article 2 (commencing with Section 2930) of Chapter 5 of
37 Division 2.

38 (j) Drivers of vanpool vehicles may operate with class C
39 licenses but shall possess evidence of a medical examination
40 required for a class B license when operating vanpool vehicles. In

1 order to be eligible to drive the vanpool vehicle, the driver shall
2 keep in the vanpool vehicle a statement, signed under penalty of
3 perjury, that he or she has not been convicted of reckless driving,
4 drunk driving, or a hit-and-run offense in the last five years.

5 (k) A class M license issued between January 1, 1989, and
6 December 31, 1992, shall permit the holder to operate any
7 motorcycle, motor-driven cycle, or motorized bicycle until the
8 expiration of the license.

9 (l) This section shall remain in effect only until January 1,
10 2004, and as of that date is repealed, unless a later enacted statute,
11 that is enacted before January 1, 2004, deletes or extends that date.

12 *SEC. 2.5. Section 12804.9 of the Vehicle Code, as added by*
13 *Section 16.5 of Chapter 1035 of the Statutes of 2000, is amended*
14 *to read:*

15 12804.9. (a) (1) The examination shall include all of the
16 following:

17 (A) A test of the applicant's knowledge and understanding of
18 the provisions of this code governing the operation of vehicles
19 upon the highways.

20 (B) A test of the applicant's ability to read and understand
21 simple English used in highway traffic and directional signs.

22 (C) A test of the applicant's understanding of traffic signs and
23 signals, including the bikeway signs, markers, and traffic control
24 devices established by the Department of Transportation.

25 (D) An actual demonstration of the applicant's ability to
26 exercise ordinary and reasonable control in operating a motor
27 vehicle by driving it under the supervision of an examining officer.
28 The applicant shall submit to an examination appropriate to the
29 type of motor vehicle or combination of vehicles he or she desires
30 a license to drive, except that the department may waive the
31 driving test part of the examination for any applicant who submits
32 a license issued by another state, territory, or possession of the
33 United States, the District of Columbia, or the Commonwealth of
34 Puerto Rico if the department verifies through any acknowledged
35 national driver record data source that there are no stops, holds, or
36 other impediments to its issuance. The examining officer may
37 request to see evidence of financial responsibility for the vehicle
38 prior to supervising the demonstration of the applicant's ability to
39 operate the vehicle. The examining officer may refuse to examine
40 an applicant who is unable to provide proof of financial

1 responsibility for the vehicle, unless proof of financial
2 responsibility is not required by this code.

3 (E) A test of the hearing and eyesight of the applicant, and of
4 other matters that may be necessary to determine the applicant's
5 mental and physical fitness to operate a motor vehicle upon the
6 highways, and whether any grounds exist for refusal of a license
7 under this code.

8 (2) The examination for a class A or class B license under
9 subdivision (b) shall also include a report of a medical examination
10 of the applicant given not more than two years prior to the date of
11 the application by a health care professional. As used in this
12 subdivision, "health care professional" means a person who is
13 licensed, certified, or registered in accordance with applicable
14 state laws and regulations to practice medicine and perform
15 physical examinations in the United States of America. Health
16 care professionals are doctors of medicine, doctors of osteopathy,
17 physician assistants, and advanced practice nurses, or doctors of
18 chiropractic who are clinically competent to perform the medical
19 examination presently required of motor carrier drivers by the
20 Federal Highway Administration. The report shall be on a form
21 approved by the department, the Federal Highway
22 Administration, or the Federal Aviation Administration. In
23 establishing the requirements, consideration may be given to the
24 standards presently required of motor carrier drivers by the
25 Federal Highway Administration.

26 (3) Any physical defect of the applicant, which, in the opinion
27 of the department, is compensated for to ensure safe driving
28 ability, shall not prevent the issuance of a license to the applicant.

29 (b) In accordance with the following classifications, any
30 applicant for a driver's license shall be required to submit to an
31 examination appropriate to the type of motor vehicle or
32 combination of vehicles the applicant desires a license to drive:

33 (1) Class A includes the following:

34 (A) Any combination of vehicles, if any vehicle being towed
35 has a gross vehicle weight rating of more than 10,000 pounds.

36 (B) Any vehicle towing more than one vehicle.

37 (C) Any trailer bus.

38 (D) The operation of all vehicles under class B and class C.

39 (2) Class B includes the following:



1 (A) Any single vehicle with a gross vehicle weight rating of
2 more than 26,000 pounds.

3 (B) Any single vehicle with three or more axles, except any
4 three-axle vehicle weighing less than 6,000 pounds.

5 (C) Any bus except a trailer bus.

6 (D) Any farm labor vehicle.

7 (E) Any single vehicle with three or more axles or a gross
8 vehicle weight rating of more than 26,000 pounds towing another
9 vehicle with a gross vehicle weight rating of 10,000 pounds or less.

10 (F) *Any house car over 40 feet in length, excluding safety*
11 *devices and safety bumpers.*

12 (G) The operation of all vehicles covered under class C.

13 (3) Class C includes the following:

14 (A) Any two-axle vehicle with a gross vehicle weight rating of
15 26,000 pounds or less, including when the vehicle is towing a
16 trailer or semitrailer with a gross vehicle weight rating of 10,000
17 pounds or less.

18 (B) Notwithstanding subparagraph (A), any two-axle vehicle
19 weighing 4,000 pounds or more unladen when towing a trailer
20 coach not exceeding 9,000 pounds gross.

21 (C) Any house car *of 40 feet in length or less.*

22 (D) Any three-axle vehicle weighing 6,000 pounds or less
23 gross.

24 (E) Any house car *of 40 feet in length or less* or vehicle towing
25 another vehicle with a gross vehicle weight rating of 10,000
26 pounds or less, including when a tow dolly is used. No vehicle shall
27 tow another vehicle in violation of Section 21715.

28 (F) (i) Any two-axle vehicle weighing 4,000 pounds or more
29 unladen when towing either a trailer coach or a fifth-wheel travel
30 trailer not exceeding 10,000 pounds gross vehicle weight rating,
31 when the towing of the trailer is not for compensation.

32 (ii) Any two-axle vehicle weighing 4,000 pounds or more
33 unladen when towing a fifth-wheel travel trailer exceeding 10,000
34 pounds, but not exceeding 15,000 pounds, gross vehicle weight
35 rating, when the towing of the trailer is not for compensation, and
36 if the person has passed a specialized written examination
37 provided by the department relating to the knowledge of this code
38 and other safety aspects governing the towing of recreational
39 vehicles upon the highway.

1 The authority to operate combinations of vehicles under this
2 subparagraph shall be granted by endorsement on a class C license
3 upon completion of that written examination.

4 (G) Any vehicle or combination of vehicles with a gross
5 combination weight rating or a gross vehicle weight rating, as
6 those terms are defined in subdivisions (g) and (h), respectively,
7 of Section 15210, of 26,000 pounds or less, if all of the following
8 conditions are met:

9 (i) Is operated by a farmer, an employee of a farmer, or an
10 instructor credentialed in agriculture as part of an instructional
11 program in agriculture at the high school, community college, or
12 university level.

13 (ii) Is used exclusively in the conduct of agricultural
14 operations.

15 (iii) Is not used in the capacity of a for-hire carrier or for
16 compensation.

17 (H) Class C does not include any two-wheel motorcycle or any
18 two-wheel motor-driven cycle.

19 (4) Class M1. Any two-wheel motorcycle or motor-driven
20 cycle. Authority to operate vehicles included in a class M1 license
21 may be granted by endorsement on a class A, B, or C license upon
22 completion of an appropriate examination.

23 (5) Class M2. Any motorized bicycle or moped, or any bicycle
24 with an attached motor, except a motorized bicycle described in
25 subdivision (b) of Section 406 and a motorized scooter described
26 in Section 407.5. Authority to operate vehicles included in class
27 M2 may be granted by endorsement on a class A, B, or C license
28 upon completion of an appropriate examination. Persons holding
29 a class M1 license or endorsement may operate vehicles included
30 in class M2 without further examination.

31 (c) No driver's license or driver certificate shall be valid for
32 operating any commercial motor vehicle, as defined in subdivision
33 (b) of Section 15210, any other motor vehicle defined in paragraph
34 (1) or (2) of subdivision (b), or any other vehicle requiring a driver
35 to hold any driver certificate or any driver's license endorsement
36 under Section 15275, unless a medical certificate approved by the
37 department, the Federal Highway Administration, or the Federal
38 Aviation Administration, that has been issued within two years of
39 the date of the operation of that vehicle, is within the licensee's
40 immediate possession, and a copy of the medical examination

report from which the certificate was issued is on file with the department. Otherwise, the license shall be valid only for operating class C vehicles that are not commercial vehicles, as defined in subdivision (b) of Section 15210, and for operating class M1 or M2 vehicles, if so endorsed, that are not commercial vehicles, as defined in subdivision (b) of Section 15210.

(d) A license or driver certificate issued prior to the enactment of Chapter 7 (commencing with Section 15200) shall be valid to operate the class or type of vehicles specified under the law in existence prior to that enactment until the license or certificate expires or is otherwise suspended, revoked, or canceled.

(e) The department may accept a certificate of driving skill that is issued by an employer, authorized by the department to issue a certificate under Section 15250, of the applicant, in lieu of a driving test, on class A or B applications, if the applicant has first qualified for a class C license and has met the other examination requirements for the license for which he or she is applying. The certificate may be submitted as evidence of the applicant's skill in the operation of the types of equipment covered by the license for which he or she is applying.

(f) The department may accept a certificate of competence in lieu of a driving test on class M1 or M2 applications, when the certificate is issued by a law enforcement agency for its officers who operate class M1 or M2 vehicles in their duties, if the applicant has met the other examination requirements for the license for which he or she is applying.

(g) The department may accept a certificate of satisfactory completion of a novice motorcyclist training program approved by the commissioner pursuant to Section 2932 in lieu of a driving test on class M1 or M2 applications, if the applicant has met the other examination requirements for the license for which he or she is applying. The department shall review and approve the written and driving test used by a program to determine whether the program may issue a certificate of completion.

(h) Notwithstanding subdivision (b), any person holding a valid California driver's license of any class may operate a short-term rental motorized bicycle without taking any special examination for the operation of a motorized bicycle, and without having a class M2 endorsement on that license. As used in this paragraph, "short-term" means 48 hours or less.

1 (i) No person under the age of 21 years shall be issued a class
2 M1 or M2 license or endorsement unless he or she provides
3 evidence satisfactory to the department of completion of a
4 motorcycle safety training program that is operated pursuant to
5 Article 2 (commencing with Section 2930) of Chapter 5 of
6 Division 2.

7 (j) Drivers of vanpool vehicles may operate with class C
8 licenses but shall possess evidence of a medical examination
9 required for a class B license when operating vanpool vehicles. In
10 order to be eligible to drive the vanpool vehicle, the driver shall
11 keep in the vanpool vehicle a statement, signed under penalty of
12 perjury, that he or she has not been convicted of reckless driving,
13 drunk driving, or a hit-and-run offense in the last five years.

14 (k) A class M license issued between January 1, 1989, and
15 December 31, 1992, shall permit the holder to operate any
16 motorcycle, motor-driven cycle, or motorized bicycle until the
17 expiration of the license.

18 (l) This section shall become operative on January 1, 2004.

19 SEC. 3. Section 12804.10 is added to the Vehicle Code, to
20 read:

21 12804.10. (a) Notwithstanding any other provision of law, a
22 person issued a class C license under paragraph (3) of subdivision
23 (b) of Section 12804.9 may drive any house car of 40 feet in length
24 or less without obtaining ~~an endorsement~~ *a noncommercial class*
25 *B driver's license with house car endorsement* as described in
26 subdivision (b).

27 (b) Any person seeking to drive any house car over 40 feet in
28 length, excluding safety devices and safety bumpers, shall obtain
29 ~~the endorsement~~ *a noncommercial class B driver's license with*
30 *house car endorsement* as described in this subdivision. The
31 applicant for that endorsement shall pass a specialized written
32 examination and demonstrate the ability to exercise ordinary and
33 reasonable control in operating that vehicle by driving it under the
34 supervision of an examining officer. Upon satisfactory completion
35 of the examination and demonstration, the applicant shall be
36 issued ~~an~~ *a noncommercial class B driver's license with house car*
37 *endorsement* by the department. Upon application for an
38 endorsement to operate this vehicle, and every two years
39 thereafter, the applicant shall submit medical information on a
40 form approved by the department.

~~SEC. 2.—~~

SEC. 4. Section 12804.15 is added to the Vehicle Code, to read:

12804.15. (a) Notwithstanding Section 362, for purposes of this section “house car” means a vehicle described in subdivision (b) of Section 12804.10.

(b) (1) Except as provided under paragraph (2), no person may operate a house car unless that person has in his or her possession a valid driver’s license of the appropriate class and an endorsement thereto issued by the department to permit operation of the house car.

(2) A nonresident may not operate a house car in this state unless that person ~~has~~ *is in* possession of an out-of-state driver’s license authorizing the operation of that vehicle.

(c) An endorsement to drive a house car may be issued only if the applicant meets ~~both~~ *all* of the following conditions:

(1) The applicant successfully completes an examination prescribed by the department to determine qualification for the endorsement.

(2) Upon initial application and every two years thereafter, the applicant submits medical information on a form approved by the department to verify that the person meets the minimum medical requirements established by the department for operation of a house car.

(3) *Upon application for issuance of an original driver’s license or renewal driver’s license pursuant to subdivision (b) of Section 12804.10, there shall be paid to the department a fee of thirty-four dollars (\$34) for a license that will expire on the applicant’s fifth birthday following the date of the application.*

(d) The department may deny, suspend, or revoke an endorsement to drive a house car when the applicant does not meet any requirement for the issuance or retention of the endorsement.

~~SEC. 3.—~~

SEC. 5. Section 14100 of the Vehicle Code is amended to read:

14100. (a) Whenever the department has given notice, or has taken or proposes to take action under Section 12804.15, 13353, 13353.2, 13950, 13951, 13952, or 13953, the person receiving the notice or subject to the action may, within 10 days, demand a

1 hearing which shall be granted, except as provided in Section
2 14101.

3 (b) An application for a hearing does not stay the action by the
4 department for which the notice is given.

5 (c) The fact that a person has the right to request an
6 administrative hearing within 10 days after receipt of the notice of
7 the order of suspension under this section and Section 16070, and
8 that the request is required to be made within 10 days in order to
9 receive a determination prior to the effective date of the suspension
10 shall be made prominent on the notice.

11 (d) The department shall make available notices, to accompany
12 the notice provided pursuant to this section, that provide the
13 information required pursuant to subdivision (c) in all non-English
14 languages spoken by a substantial number of the public served by
15 the department, and shall distribute the notices as it determines is
16 appropriate.

17 (e) The department shall implement the provisions of
18 subdivisions (c) and (d) as soon as practicable, but not later than
19 January 1, 1994.

20 ~~SEC. 4.—~~

21 *SEC. 6.* Section 35400 of the Vehicle Code is amended to
22 read:

23 35400. (a) No vehicle shall exceed a length of 40 feet.

24 (b) This section does not apply to any of the following:

25 (1) A vehicle used in a combination of vehicles when the excess
26 length is caused by auxiliary parts, equipment, or machinery not
27 used as space to carry any part of the load, except that the
28 combination of vehicles shall not exceed the length provided for
29 combination vehicles.

30 (2) A vehicle when the excess length is caused by any parts
31 necessary to comply with the fender and mudguard regulations of
32 this code.

33 (3) (A) An articulated bus or articulated trolley coach that does
34 not exceed a length of 60 feet.

35 (B) An articulated bus or articulated trolley coach described in
36 subparagraph (A) may be equipped with a folding device attached
37 to the front of the bus or trolley if the device is designed and used
38 exclusively for transporting bicycles. The device, including any
39 bicycles transported thereon, shall be mounted in a manner that
40 does not materially affect efficiency or visibility of vehicle safety

1 equipment, and shall not extend more than 36 inches from the front
2 body of the bus or trolley coach when fully deployed. The
3 handlebars of a bicycle that is transported on a device described in
4 this subparagraph shall not extend more than 42 inches from the
5 front of the bus.

6 (4) A semitrailer while being towed by a motortruck or truck
7 tractor, if the distance from the kingpin to the rearmost axle of the
8 semitrailer does not exceed 40 feet for semitrailers having two or
9 more axles, or 38 feet for semitrailers having one axle if the
10 semitrailer does not, exclusive of attachments, extend forward of
11 the rear of the cab of the motortruck or truck tractor.

12 (5) A bus or house car when the excess length is caused by the
13 projection of a front safety bumper or a rear safety bumper, or both.
14 The safety bumper shall not cause the length of the vehicle to
15 exceed the maximum legal limit by more than one foot in the front
16 and one foot in the rear. For the purposes of this chapter, "safety
17 bumper" means any device that is fitted on an existing bumper or
18 which replaces the bumper and is constructed, treated, or
19 manufactured to absorb energy upon impact.

20 (6) A bus when the excess length is caused by a device, located
21 in front of the front axle, for lifting wheelchairs into the bus. That
22 device shall not cause the length of the bus to be extended by more
23 than 18 inches, inclusive of any front safety bumper.

24 (7) A bus when the excess length is caused by a device attached
25 to the rear of the bus designed and used exclusively for the
26 transporting of bicycles. This device may be up to 10 feet in length,
27 if the device, along with any other device permitted pursuant to
28 this section, does not cause the total length of the bus, including
29 any device or load, to exceed 50 feet.

30 (8) A bus operated by a public agency or a passenger stage
31 corporation, as defined in Section 226 of the Public Utilities Code,
32 used in transit system service, other than a schoolbus, when the
33 excess length is caused by a folding device attached to the front of
34 the bus which is designed and used exclusively for transporting
35 bicycles. The device, including any bicycles transported thereon,
36 shall be mounted in a manner that does not materially affect
37 efficiency or visibility of vehicle safety equipment, and shall not
38 extend more than 36 inches from the front body of the bus when
39 fully deployed. The handlebars of a bicycle that is transported on
40 a device described in this paragraph shall not extend more than 42

1 inches from the front of the bus. A device described in this
2 paragraph may not be used on any bus which, exclusive of the
3 device, exceeds 40 feet in length or on any bus having a device
4 attached to the rear of the bus pursuant to paragraph (7).

5 (9) A bus of a length of up to 45 feet when operating on those
6 highways specified in subdivision (a) of Section 35401.5. The
7 Department of Transportation or local authorities, with respect to
8 highways under their respective jurisdictions, shall not deny
9 reasonable access to a bus of a length of up to 45 feet between the
10 highways specified in subdivision (a) of Section 35401.5 and
11 points of loading and unloading for motor carriers of passengers
12 as required by the federal Intermodal Surface Transportation
13 Efficiency Act of 1991 (P.L. 102-240).

14 (10) (A) A house car of a length of up to 45 feet when
15 operating on the National System of Interstate and Defense
16 Highways or when using those portions of federal aid primary
17 system highways that have been qualified by the United States
18 Secretary of Transportation for that use, or when using routes
19 appropriately identified by the Department of Transportation or
20 local authorities, with respect to highways under their respective
21 jurisdictions.

22 (B) A house car described in subparagraph (A) may be operated
23 on a highway that provides reasonable access to facilities for
24 purposes limited to fuel, food, and lodging when that access is
25 consistent with the safe operation of the vehicle and when the
26 facility is within one road mile of identified points of ingress and
27 egress to or from highways specified in subparagraph (A) for use
28 by that vehicle.

29 (C) As used in this paragraph and paragraph (9), “reasonable
30 access” means access substantially similar to that authorized for
31 combinations of vehicles pursuant to subdivision (c) of Section
32 35401.5.

33 (D) Any access route established by a local authority pursuant
34 to subdivision (d) of Section 35401.5 is open for access by a house
35 car of a length of up to 45 feet. In addition, local authorities may
36 establish a process whereby access to services by house cars of a
37 length of up to 45 feet may be applied for upon a route not
38 previously established as an access route. The denial of a request
39 for access to services shall be only on the basis of safety and an
40 engineering analysis of the proposed access route. In lieu of



1 processing an access application, local authorities, with respect to
2 highways under their jurisdiction, may provide signing, mapping,
3 or a listing of highways, as necessary, to indicate the use of these
4 specific routes by a house car of a length of up to 45 feet.

5 (c) The Legislature, by increasing the maximum permissible
6 kingpin to rearmost axle distance to 40 feet effective January 1,
7 1987, as provided in paragraph (4) of subdivision (b), does not
8 intend this action to be considered a precedent for any future
9 increases in truck size and length limitations.

10 (d) Any transit bus equipped with a folding device installed on
11 or after January 1, 1999, that is permitted under subparagraph (B)
12 of paragraph (3) of subdivision (b) or under paragraph (8) of
13 subdivision (b) shall be additionally equipped with any of the
14 following:

15 (1) An indicator light that is visible to the driver and is activated
16 whenever the folding device is in an extended position.

17 (2) Any other device or mechanism that provides notice to the
18 driver that the folding device is in an extended position.

19 (3) A mechanism that causes the folding device to retract
20 automatically from an extended position.

21 (e) (1) No person shall improperly or unsafely mount a bicycle
22 on a device described in subparagraph (B) of paragraph (3) of
23 subdivision (b), or in paragraph (8) of subdivision (b).

24 (2) Notwithstanding subdivision (a) of Section 23114 or
25 subdivision (a) of Section 24002 or any other provision of law,
26 when a bicycle is improperly or unsafely loaded by a passenger
27 onto a transit bus, the passenger, and not the driver, is liable for any
28 violation of this code that is attributable to the improper or
29 unlawful loading of the bicycle.

30 ~~SEC. 5.—~~

31 *SEC. 7.* The Commissioner of the California Highway Patrol
32 shall report to the Legislature not later than February 1, 2003, and
33 February 1, 2004, regarding the number of house cars, as described
34 in subdivision (b) of Section 12804.10 of the Vehicle Code, that
35 are involved in traffic collisions during the calendar year prior to
36 the reporting date.

37 No reimbursement is required by this act pursuant to Section 6
38 of Article XIII B of the California Constitution because the only
39 costs that may be incurred by a local agency or school district will
40 be incurred because this act creates a new crime or infraction,

1 eliminates a crime or infraction, or changes the penalty for a crime
2 or infraction, within the meaning of Section 17556 of the
3 Government Code, or changes the definition of a crime within the
4 meaning of Section 6 of Article XIII B of the California
5 Constitution.

6 ~~SEC. 7.~~—

7 *SEC. 8.* This act is an urgency statute necessary for the
8 immediate preservation of the public peace, health, or safety
9 within the meaning of Article IV of the Constitution and shall go
10 into immediate effect. The facts constituting the necessity are:

11 In order to allow house cars of up to 45 feet in length to be
12 operated on certain highways in accordance with the provisions of
13 this act at the earliest possible time, it is necessary that this act take
14 effect immediately.

